

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, April 4, 2000, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

CHARLES V. SMITH
CHAIRMAN
First District

JAMES W. SILVA
VICE CHAIRMAN
Second District

TODD SPITZER
SUPERVISOR
Third District

CYNTHIA P. COAD
SUPERVISOR
Fourth District

THOMAS W. WILSON
SUPERVISOR
Fifth District

ATTENDANCE: Supervisors Smith, Spitzer, Coad and Wilson

EXCUSED: Supervisor Silva

PRESENT:	COUNTY EXECUTIVE OFFICER	Janice M. Mittermeier
	COUNTY COUNSEL	Laurence M. Watson
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Spitzer, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Coad, Fourth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairman Smith introduced the Honorable Tissa Vijeratne, Consul General of Sri Lanka

Chairman Smith presented a resolution recognizing April 2000 as "Fair Housing Month"

Chairman Smith presented a resolution recognizing 20th Anniversary of Orange County Trauma System

Steven C. Szalay, Executive Director, California State Association of Counties, presented 1999 CSAC Award to the Board of Supervisors

Chairman Smith presented a resolution recognizing April 3rd - 9th, 2000 as Public Health Week

Chairman Smith and CEO presented status report on Pension Obligation Bond Tender Offer

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II. CONSENT CALENDAR (Items 1-28)

53241 APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 10 WHICH WAS
X DELETED

BOARD APPOINTMENTS

Chairman Smith:

1. Veterans Advisory Council - Appoint Olga W. Hamerlinck, Fountain Valley, for term ending 3/28/02; reappoint Dorothy Fisher, Lake Forest, to complete term ending 3/4/02 and William Manes, Dana Point, to complete term ending 3/27/02
2. Orange County Human Relations Commission - Appoint Felix Schwartz, Irvine, to complete term ending 1/27/02
3. **Supervisor Coad** - Public Services Access Advisory Committee - Appoint Mark J. Hepp, Sr., Placentia, to complete term ending 7/1/02

COMMENDATIONS/PROCLAMATIONS

4. **Chairman Smith** - Adopt resolution commending Kathleen Freed on her outstanding dedication and contributions
RESO: 00-97
5. **Supervisor Silva** - Adopt resolution recognizing the honorees of the Fourth Annual Countywide Volunteer Recognition for their commitment to public service
RESO: 00-98

Supervisor Spitzer:

6. Adopt resolution proclaiming April 9-15, 2000 as "National Library Week"
RESO: 00-99
7. Adopt resolution congratulating Brea-Olinda High School for its outstanding girls basketball program
RESO: 00-100
8. **Supervisor Coad** - Adopt resolution commending Mark Laret on his outstanding dedication and contributions
RESO: 00-101

HEALTH CARE AGENCY

9. Adopt resolution approving grant with State Business, Transportation and Housing Agency for bag-valve-mask ventilation training for law enforcement personnel, 4/1/00 - 3/31/02 (\$173,829) - All Districts
RESO: 00-102

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INTEGRATED WASTE MANAGEMENT DEPARTMENT

10. Approve plans and specifications and set bid opening for 5/17/00, 2:00 p.m., for construction of operations building addition, Frank R. Bowerman Landfill; and make California Environmental Quality Act findings - District 3

53241 **DELETED**

X

ORANGE COUNTY PUBLIC LIBRARY

11. Approve license with Seal Beach for installation and maintenance of sidewalk, Los Alamitos/Rossmoor Branch Library; and make California Environmental Quality Act and other findings - District 2 (4/5 vote)

PLANNING AND DEVELOPMENT SERVICES

12. Approve agreement with The Planning Center for preparation of State mandated update to Orange County General Plan Housing Element (\$177,925) - All Districts

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

13. Receive and file Traffic Committee Reports dated 2/17/00; approve recommendations and adopt necessary resolutions - District 5
RESO: 00-103 - 00-105
14. Approve price agreement N1000002605 with Crystal Glass Inc. for vehicle glass repair and replacement, 4/5/00 - 4/4/01 (\$23,500 per year); renewable for two additional years; and make California Environmental Quality Act findings - All Districts
15. Adopt resolution certifying completion of traffic signal installation and accepting traffic signal at intersection of Pacific Park Drive and Laguna Hills Drive; and authorize release of security, Shea Homes Limited Partnership, Aliso Viejo area - District 5
RESO: 00-106
16. Adopt resolution certifying completion of traffic signal installation and accepting traffic signal at intersection of Pacific Park Drive and Street A (Enterprise); and authorize release of security, Shea Homes Limited Partnership, Aliso Viejo area - District 5
RESO: 00-107
17. Approve waiving informality in bid proposal; and receive bids and award contract to Cannon Noe, Inc. for dark fiber optics conduit construction project, Santa Ana (\$165,700) - District 1
18. Approve continuance of emergency repairs and closure of Modjeska Grade Road; receive and file status report; and continue matter to 04/18/00, 9:30 a.m., for further consideration - District 3
(Continued from 02/08/00, Item S50B; 2/15/00, Item 21; 3/7/00, Item 47; 3/21/00, Item 26) (4/5 vote)
19. **Acting as the Orange County Flood Control District** - Accept easement from Secretary of the Army for public road purposes during Bolsa Chica Channel improvements, Los Alamitos; and adopt resolution making California Environmental Quality Act and other findings - District 2

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RESO: 00-108

20. **Acting as the Board of Supervisors and Orange County Development Agency** - Approve plans and specifications and set bid opening for 5/3/00, 2:00 p.m., for Orange Avenue storm drain between Gilbert Street and Rosebay Street, Anaheim; and make California Environmental Quality Act and other findings - District 4

SOCIAL SERVICES AGENCY

21. Approve licenses with California State University, Fullerton and North Orange County Community College District for classroom space in leased facilities, Santa Ana and Anaheim; and make California Environmental Quality Act findings - Districts 1 & 4

PUBLIC PROTECTION

22. **Probation** - Approve plans and specifications and set bid opening for 5/10/00, 2:00 p.m., for South Justice Center Annex tenant improvement project; and make California Environmental Quality Act and other findings - District 5

Sheriff-Coroner:

23. Accept grant funds from U.S. Department of Justice/Bulletproof Vest Partnership Grant Act of 1998 for purchase of vests (\$85,661.25) - All Districts
24. Approve agreement with Bob Levy for lobbyist services and authorize him to register with State as lobbyist representing the County (\$10,000) - All Districts

GENERAL ADMINISTRATION

25. **County Executive Office** - Approve 5 year lease with American Pacific Secured File Storage, Inc. for storage of telephone/communication equipment, Santa Ana; and make California Environmental Quality Act findings - District 1
26. **Acting as the Orange County Development Agency** - Approve price agreement with Joanna Futerman, Inc. to provide estimates of costs associated with proposed undergrounding of utilities on private properties, Santa Ana Heights - District 5

County Executive Office:

27. Adopt resolution approving amendment 4 to First Amended and Restated Joint Exercise of Powers Agreement creating Foothill/Eastern Transportation Corridor Agency - Districts 3 & 5
RESO: 00-109
28. Approve revision of job classification for Supervising Probation Counselor, Deputy Probation Counselor and Probation Night Counselor and adjust salaries for Supervising Probation Counselor, Deputy Probation Counselor, effective 3/24/00 - All Districts

END OF CONSENT CALENDAR

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III. DISCUSSION ITEMS (Items 29-S38B)

HEALTH CARE AGENCY

29. Approve amended agreement with Latino Psychological & Social Services Corporation for mental health outpatient services, FY 1999-00 (\$281,492; new total \$1,095,107) and FY 2000-01 (\$748,529; new total \$1,584,155) - All Districts

35241 **APPROVED AS RECOMMENDED**
X

30. Approve amended master agreement with Management Applied Programming, Inc. dba American Insurance Administrators and contracting hospitals to increase imprest account and insurance coverage, FY 1999-00 - All Districts

B.O. **CONTINUED TO 4/11/00, 9:30 A.M.**

JOHN WAYNE AIRPORT

31. Approve agreement with Dames & Moore for geotechnical and special inspection services (\$250,000 per year); renewable for two additional years - District 5

53241 **APPROVED RECOMMENDATIONS AS AMENDED TO RETURN TO THE BOARD FOR**
X **APPROVAL OF RENEWALS IN YEARS 2 AND 3**

32. Select a primary and alternate architectural-engineering firm from ranked list for design of realignment of Taxiway "G" - District 5

53241 **APPROVED AS RECOMMENDED; SELECTED CH2MHILL AS PRIMARY AND URS**
X **GREINER WOODWARD CLYDE AS ALTERNATE**

33. Approve plans and specifications and set bid opening for 5/10/00, 2:00 p.m., for acoustical insulation program for 182-unit apartment complex, Santa Ana Heights; and make California Environmental Quality Act findings - District 5

53241 **APPROVED AS RECOMMENDED**
X

34. Approve agreement with Kleinfelder, Inc. for material testing services (\$250,000 per year); renewable for two additional years - District 5

53241 **APPROVED RECOMMENDATIONS AS AMENDED TO RETURN TO THE BOARD FOR**
X **APPROVAL OF RENEWALS IN YEARS 2 AND 3**

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

35. Approve master agreement with various providers for project management services for various capital projects (\$450,000 each) All Districts

B.O. **CONTINUED TO 4/11/00, 9:30 A.M.**

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GENERAL ADMINISTRATION

36. **Acting as the Orange County Housing Authority** - Adopt resolution approving substitution of credit facility and transfer of apartment ownership for Variable Rate Demand Apartment Development Revenue Bonds, Issue CC of 1985, Lantern Pines (\$20,500,000) - District 5

53241 **APPROVED AS RECOMMENDED**

X

RESO: 00-110

37. **County Executive Office** - Adopt resolution approving Variable Rate Demand Apartment Development Revenue Bonds, Issue A of 1989 substitution of credit facility with a credit facility to be provided by Fannie Mae and reissuance of bonds, Park Place Apartments (\$15,400,000) - District 3 (Continued from 3/28/00, Item 36)

35241 **APPROVED AS RECOMMENDED**

X

RESO: 00-111

38. **Clerk-Recorder** - Approve purchase orders PC059 P0012784.00 with Integrated Systems Internation (\$78,358) and PC059 P0012785.00 with Compass Computer Solutions (\$504,986) for hardware/software equipment to facilitate ATM migration to Data Center; and approve budget adjustments - All Districts (R.A. 4 4/5 vote)

35241 **APPROVED AS RECOMMENDED**

X

INTEGRATED WASTE MANAGEMENT DEPARTMENT

- S38A. Select Bryan A. Stirrat & Associates; in association with GeoLogic Associates; Willdan & Associates; Hill International; Matkins, Leck, Gamble & Mallory, LLP as primary and Advanced Earth Sciences, Inc.; in association with TRC; Simplus as alternate architectural engineering firms for construction management, quality assurance/quality control and engineering support services, Frank R. Bowerman and other central region landfills; and authorize negotiation of agreement for Board approval - District 3 (Continued from 3/28/00, Item 32)

35241 **APPROVED AS RECOMMENDED**

X

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

- S38B. Find SEC Engineering, Inc. in default of agreement for construction of Central Justice Center - jury assembly room expansion; terminate performance and tender completion of contract to Hartford Fidelity and Bonding, bonding company - District 1

13245 **APPROVED AS RECOMMENDED**

X

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IV. PUBLIC HEARINGS (Items 39-40)

GENERAL ADMINISTRATION

39. **Clerk-Recorder** - Public Hearing to consider first reading of "An Ordinance to Adjust Fees Within the Clerk-Recorder Office to Reflect the Cost of Providing the Services" and set second reading and adoption for 4/11/00 - All Districts (Continued from 3/14/00, Item 37)

B.O. **CLOSED PUBLIC HEARING**

35241 **APPROVED AS RECOMMENDED**

X

40. **County Executive Office** - Public Hearing to consider adopting a resolution authorizing expenditures through 6/30/00, for MCAS, El Toro - All Districts

B.O. **CLOSED PUBLIC HEARING**

1 **MOTION TO APPROVE CONTINUATION OF WORK EFFORTS ON EIR 573, AND
CONTINUE BALANCE OF MATTER TO 4/11/00, 9:30 A.M. FOR FINAL ACTION DIED
FOR LACK OF SECOND**

43251 **CONTINUED TO 4/11/00, 9:30 A.M.**

X

V. CLOSED SESSION (Item CS-1)

- CS-1. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION: County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The cases are: Citizens for Jobs and the Economy, et al. v. County of Orange, Case No. 00CC03205 and City of Lake Forest, City of Irvine v. County of Orange, et al., Orange County Court Case Nos. 77 24 42, 79 66 38 and 80 22 50, and Fourth District Court of Appeal, Division 3, Case No. G023884 - All Districts (Continued from Special Meeting, 03/28/00, Item CS-2)

**HELD, THE CHAIRMAN REPORTED THE FOLLOWING: PURSUANT TO
GOVERNMENT CODE SECTION 54956.9(a) THE BOARD MET IN CLOSED SESSION
WITH COUNTY COUNSEL TO DISCUSS THE CASES REFERENCED IN TODAY'S
REGULAR AGENDA AS CS-1. THE BOARD TOOK NO REPORTABLE ACTION
DURING THE CLOSED SESSION**

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Charles Griffin - Oral RE: Possibility of getting Federal funded Veterans National Cemetery in O.C. and de-incorporation of portion of El Toro base from Irvine

BOARD COMMENTS:

Chairman Smith - Reported as follow-up to Item 37 on 3/28/00, that he has appointed Supervisors Coad and Spitzer to participate on the working group to report back to the Board on use of the County's share of Tobacco Settlement funds. Besides HARTS and other health providers, the group should include representatives from the

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Sheriff, Health Care Agency and CEO and their report should address impacts on debt defeasance, jail construction planning and use of proposition 10 funding

ADJOURNED 1:04 P.M.

*** KEY ***

Left Margin Notes

- 1. v Chairman Smith
- 2. v Supervisor Silva
- 3. v Supervisor Spitzer
- 4. v Supervisor Coad
- 5. v Supervisor Wilson

- A. v Abstained
- X. v Excused
- N. v No
- BOv Board Order

Right Margin Notes

- O. v Ordinance
- R. v Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

CHARLES V. SMITH, CHAIRMAN
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board